

### Chapter 53.—MISCELLANEOUS RIGHTS AND BENEFITS

Sec.

1040. Transportation of dependent patients.

#### AMENDMENTS

1965—Pub. L. 89-140, § 1(2), Aug. 28, 1965, 79 Stat. 579, added item 1040 "Transportation of dependent patients."

Pub. L. 89-132, § 9(b), Aug. 21, 1965, 79 Stat. 548, added item 1040 "Free postage from combat zone" which was repealed by Pub. L. 89-315, § 3(b), Nov. 1, 1965, 79 Stat. 1165.

§ 1040. Transportation of dependent patients.

(a) Except as provided in subsection (b), if a dependent accompanying a member of the uniformed services who is stationed outside the United States and who is on active duty for a period of more than thirty days requires medical attention which is not available in the locality, transportation of the dependents at the expense of the United States is authorized to the nearest appropriate medical facility in which adequate medical care is available. On his recovery or when it is administratively determined that the patient should be removed from the medical facility involved, the dependent may be transported at the expense of the United States to the duty station of the member or to such other place determined to be appropriate under the circumstances. If a dependent is unable to travel unattended, round-trip transportation and travel expenses may be furnished necessary attendants.

(b) This section does not authorize transportation and travel expenses for a dependent for elective surgery which is determined to be not medically indicated by a medical authority designated under joint regulations to be prescribed under this section.

(c) "Dependent" and "uniformed services" in this section have the meanings of those terms as defined in section 1072 of this title.

(d) Transportation and travel expenses authorized by this section shall be furnished in accordance with point regulations to be prescribed by the Secretary of the Treasury, the Secretary of Defense, the Secretary of Commerce, and the Secretary of Health, Education, and Welfare, which shall require the use of transportation facilities of the United States insofar as practicable. (Added Pub. L. 89-140, § 1(1), Aug. 28, 1965, 79 Stat. 579.)

#### CODIFICATION

Another section 1040, which related to free postage from combat zones, was added by Pub. L. 89-132, § 9(a), Aug. 21, 1965, 79 Stat. 548, and was repealed by Pub. L. 89-315, § 3(a), Nov. 1, 1965, 79 Stat. 1164. See section 4169 of Title 39, The Postal Service.

### Chapter 55.—MEDICAL AND DENTAL CARE

Sec.

1085. Medical and dental care from another executive department: reimbursement.

#### AMENDMENTS

1965—Pub. L. 89-264, § 2, Oct. 19, 1965, 79 Stat. 980, substituted "executive department" for "uniformed service" in item 1085.

§ 1072. Definitions.

#### TRANSFER OF FUNCTIONS

The Coast and Geodetic Survey was consolidated with the Weather Bureau of the Department of Commerce to form a new agency in the Department of Commerce to be known as the Environmental Science Services Administration by Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. —, set out as a note under section 1332-15 of Title 5, Executive Departments and Government Officers and Employees. All personnel (including commissioned officers) of the Survey and all property held or used by the Survey were deemed transferred to the Administration, and all functions of the Survey were transferred to the Secretary of Commerce.

§ 1073. Administration of sections 1071—1085 of this title.

#### TRANSFER OF FUNCTIONS

The Coast and Geodetic Survey was consolidated with the Weather Bureau of the Department of Commerce to form a new agency in the Department of Commerce to be known as the Environmental Science Services Administration by Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. —, set out as a note under section 1332-15 of Title 5, Executive Departments and Government Officers and Employees. All personnel (including commissioned officers) of the Survey and all property held or used by the Survey were deemed transferred to the Administration, and all functions of the Survey were transferred to the Secretary of Commerce.

§ 1077. Medical and dental care for dependents: specific inclusions and exclusions.

#### OBSTETRICAL CARE FACILITIES

Pub. L. 89-188, title VI, § 610, Sept. 16, 1965, 79 Stat. 818, provided that: "Except in the case of hospitals authorized for construction under this [Pub. L. 89-188] or any previous Act, any military hospital hereafter constructed in the United States or its possessions shall include facilities for obstetrical care unless sound and specific justification is made by the Secretary concerned for omitting such facilities in any hospital authorized."

§ 1085. Medical and dental care from another executive department: reimbursement.

If a member or former member of an armed force under the jurisdiction of a military department, or his dependent receives inpatient medical or dental care in a facility under the jurisdiction of the Secretary of Health, Education, and Welfare, or if a member or former member of a uniformed service not under the jurisdiction of a military department, or his dependent, receives inpatient medical or dental care in a facility of an armed force under the jurisdiction of a military department, the appropriation for maintaining and operating the facility furnishing that care shall be reimbursed at rates established by the Bureau of the Budget to reflect the average cost of providing such care. (As amended Pub. L. 89-264, § 1, Oct. 19, 1965, 79 Stat. 989.)

#### AMENDMENTS

1965—Pub. L. 89-264 substituted "executive department" for "uniformed service" in the catchline; also provisions requiring reimbursement if a member or former member of an armed force under the jurisdiction of a military department, or his dependent receives care in a facility under the jurisdiction of Secretary of Health, Education, and Welfare, or if a member or former member of a uniformed service not under the jurisdiction of a military department, or his dependent, receives care in a facility of an armed force under the jurisdiction of a military department, for provisions which required reimbursement if a person received care in a facility of a uniformed service other than that of the member or former member concerned.